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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,024	12/31/2003	Ga-Lane Chen		9357
25859	7590	10/05/2005	EXAMINER	
WEI TE CHUNG FOXCONN INTERNATIONAL, INC. 1650 MEMOREX DRIVE SANTA CLARA, CA 95050			WANG, GEORGE Y	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/750,024	CHEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	George Y. Wang	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 14 July 2005.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-17 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-17 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>12/31/03</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's traversal in the reply filed on July 14, 2005 on the ground(s) that "the separately claimed subcombination constitutes the essential distinguishing feature of the combination as claimed" is persuasive. Because the search and examination of the groups would not be an undue burden to the Examiner, the restriction requirement is withdrawn. All pending claims are treated in the Office Action below.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on December 31, 2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-2, 4-9, and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanash (U.S. Patent No. 5,211,463) in view of Blankenbecler et al. (U.S. Patent No. 6,104,446, hereinafter "Blankenbecler").

5. Regarding claims 1, 8, and 16-17, Kalmanash discloses a surface light source system (title) comprising an LCD panel (fig. 3, ref. 30), a backlight source (42, 50), a light guide plate (46) having an incident surface (48, 54) for introducing light beams into the light guide plate, an emitting surface (58) for uniformly (uniformity achieved by the diffuser, 56) transmitting light beams out from the light guide plate, a bottom surface (54) opposite the emitting surface for reflective (col. 5, line 60) the light beam in

directions toward the emitting surface, and a color filter mosaic comprising a color layer for a full color display (col. 1, lines 48-50).

However, the reference fails to specifically disclose a color filter disposed on the emitting surface of the light guide plate.

Blankenbecler discloses an optical plate having a color filter (color separation plate, fig. 5A, ref. 11) on a light guide plate (11a).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a color filter disposed on the emitting surface of the light guide plate since one would be motivated provide a full range of color over the visible spectrum on the backlighting panel to provide a brighter image without using higher output bulbs and without shortening the life of a bulb (col. 4, lines 52-61).

6. As to claims 2, 4-6, 9, and 11-13, Kalmanash discloses a surface light source system as recited above with a color filter mosaic comprising a color layer for a full color display (col. 1, lines 48-50), however, the reference fails to specifically disclose a color filter further comprises a black matrix having a lattice pattern and where a plurality of color filter elements of red (R), green (G), and blue (B) are arranged in a predetermined pattern.

Blankenbecler discloses an optical plate having a color filter (color separation plate) further comprises a black matrix having a lattice pattern (col. 5, lines 60-66) and where a plurality of color filter elements of red (R), green (G), and blue (B) are arranged in a predetermined pattern (col. 5, lines 51-66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a color filter disposed on the emitting surface of the light guide plate further comprising a black matrix having a lattice pattern and with a plurality of color filter elements of red (R), green (G), and blue (B) are arranged in a predetermined pattern since one would be motivated provide a full range of color over the visible spectrum on the backlighting panel to provide a brighter image without using higher output bulbs and without shortening the life of a bulb (col. 4, lines 52-61).

7. As per claims 7 and 14-15, Kalmanash discloses a surface light source system as recited above where the light source is a cold cathode fluorescent lamp (col. 6, lines 1-2), however, the reference fails to specifically disclose a plurality of scattering dots formed on the bottom surface.

Blankenbecler disclose an optical plate having a light guide plate (11a) with a plurality of scattering dots formed on the bottom surface (cylindrical lenses, col. 10, lines 33-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a plurality of scattering dots formed on the bottom surface for either reflecting and scattering light beams in direction toward the light emitting surface or for focusing and collimating light for further filtering so that ultimately a full range of color over the visible spectrum on the backlighting panel can be provided for a brighter image without using higher output bulbs and without shortening the life of a bulb (col. 4, lines 52-61).

8. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanash in view of Blankenbecler, and in further view of Sawada (U.S. Patent No. 6,649,952).

Kalmanash, when modified by Blankenbecler, discloses the surface light source system as recited above having a light guide plate with a color filter disposed on the emitting surface, however, the reference fails to specifically disclose a color filter having a light shielding film for shielding UV light.

Sawada discloses a color filter having a light shielding film (titanium oxide layer, fig. 4, ref. 13) for shielding UV light (col. 3, lines 28-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a color filter having a light shielding film for shielding UV light since one would be motivated to provide a color filter that will not degrade by UV light. Thus, this leads to longevity of the color filter as well as improved performance in displays (col. 1, lines 7-9; col. 1, line 66 – col. 2, line 18).

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Y. Wang whose telephone number is 571-272-2304. The examiner can normally be reached on M-F, 8 am - 4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Wang  
Patent Examiner  
AU 2871  
October 3, 2005